



## Chapter Five

# LOCAL AGENCY AGREEMENTS

BUREAU OF DESIGN AND ENVIRONMENT MANUAL

**5-5.02(b) Sidewalks**

For sidewalks, the Agreement will be based on the following to determine the division of cost between State and Local Agency:

1. New and Deteriorated Sidewalks. Use the criteria in Chapters 17 and 48 to determine the warrants for sidewalks. If these criteria are met and the Local Agency agrees to maintain the sidewalks, proportion the improvement costs associated with new or deteriorated sidewalks as follows:
  - a. New Sidewalks. Proportion the cost equally (i.e., 50%/50%) between the State and Local Agency for new sidewalks within the project termini or for short distances outside the project termini as may be required to connect sidewalks to significant pedestrian generators (e.g., schools, transit facilities). The Phase I Study Report will document the need for sidewalk construction.
  - b. Deteriorated Sidewalks. The Local Agency will pay 100% of the cost to remove existing deteriorated sidewalks. Proportion the cost 50%/50% between the State and Local Agency for deteriorated sidewalk replacement when associated with a highway project. Local Agency will pay 100% of the cost of decorative sidewalks.
  - c. Utility Adjustments and Other Items. The Local Agency is 100% financially responsible for utility adjustments, pedestrian barriers, retaining walls, and other collateral items that are required solely for sidewalk construction not necessitated by the IDOT project.
  - d. Right-of-Way. The Local Agency is 100% financially responsible for right-of-way if acquired solely for sidewalk construction. Also, the Local Agency will pay 100% of the construction costs for sidewalks associated with the construction of on-system parking not necessitated by the IDOT project. The State will pay 100% for right-of-way if additional right-of-way is required to construct an IDOT-proposed highway cross section.
  - e. Sidewalk Removal and Replacement. The State is 100% financially responsible for removing and replacing existing sidewalks if such a need is caused by the construction of an IDOT highway improvement.
  - f. Local Agency Does Not Accept Maintenance Responsibilities. If the Local Agency does not agree to maintain the sidewalk, the State will not construct it, even if it is warranted. However, the State will take reasonable actions to not preclude future additions of sidewalk at such locations.

All sidewalk construction can be considered for federal-aid participation. In such cases, cost shares will apply to federal-aid matching amounts.

2. Adjustment of Existing Sidewalks. If an existing sidewalk requires adjustment due to an IDOT improvement, the State will pay 100% of the adjustment cost. The Department will construct the replacement in accordance with IDOT sidewalk criteria. The Local Agency is 100% financially responsible for sidewalk adjustments that are caused or initiated by a work request from the Local Agency.
3. Curb Ramps. See Chapter 58 for criteria related to curb ramps.

### **5-5.05(o) Bicycle Accommodations**

The Agreement will base the division of cost between the State and the Local Agency on the following criteria:

1. On-Road Bicycle Lanes. Proportion the cost equally (i.e., 50%/50%) between the State and Local Agency for the construction of new on-road bicycle lanes as indicated by the facility selection criteria contained in Chapter 17. The Local Agency is 100% financially responsible for right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are required solely for bike lane construction not necessitated by the IDOT project. The State will assume the maintenance of on-road bicycle lanes.
2. Wide Outside Lanes and Widened Shoulders. The State will pay 100% of all costs for wide outside lanes or widened shoulders indicated for bicycle accommodation. The State will also assume the maintenance of these facilities.
3. New and Deteriorated Side Paths. If the side path selection criteria are met and the Local Agency agrees to maintain the paths, proportion the improvement costs associated with new or deteriorated paths as follows:
  - a. New Paths. Proportion the cost equally (i.e., 50%/50%) between the State and Local Agency for construction of new paths within the project termini or for short distances outside the project termini as may be required to connect paths to significant bicycle traffic generators (e.g., schools, transit facilities). The Phase I Study Report will document the need for path construction.
  - b. Utility Adjustments and Other Items. The Local Agency is 100% financially responsible for utility adjustments, barriers, retaining walls, and other collateral items that are required solely for path construction not necessitated by the IDOT project.
  - c. Right-of-Way. The Local Agency is 100% financially responsible for right-of-way if acquired solely for path construction. The State will pay 100% for right-of-way if additional right-of-way is required to construct an IDOT-proposed highway cross section. When the State acquires right-of-way for the State's and Local Agency's needs, the State will require the Local Agency to pay for the local portion.

- d. Path Removal and Replacement. The State is 100% financially responsible for removing and replacing existing paths if such a need is caused by the construction of an IDOT highway improvement.
- e. Local Agency Does Not Accept Maintenance Responsibilities. If the Local Agency does not agree to maintain the path, the State will not construct it, even if it is warranted. However, the State will take reasonable actions to not preclude future additions of paths at such locations.
- f. Paths Above and Beyond Selection Criteria. If facility selection criteria for side paths are not met and the Local Agency still requests side path installation, the Local Agency is 100% financially responsible for all costs for installation of the path, including any necessary right-of-way and construction.

All side path construction can be considered for federal-aid participation. In such cases, cost shares will apply to federal-aid matching amounts.

4. Adjustment of Existing Paths. If an existing path requires adjustment due to an IDOT improvement, the State will pay 100% of the adjustment cost. The Department will construct the replacement in accordance with IDOT path criteria. The Local Agency is 100% financially responsible for path adjustments that are caused or initiated by a work request from the Local Agency.

#### **5-5.05(p) Bicycle and Pedestrian Accommodations on Structures**

If bicycle and/or pedestrian accommodations are warranted within the termini of a project, those accommodations should be carried over any structures and new approaches within the project. Please see Chapter 17 for further guidance. If the project omits structure improvements, then bicycle and pedestrian improvements to those structures may also be omitted. The Agreement will base the division of cost between the State and the Local Agency on the following criteria:

1. New, or Replacement Structures. The State will pay 100% of all costs for the structure and approach construction itself, within the pavement limits of the project, including accommodations. The Local Agency will pay 100% of right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are required solely for the accommodations. The State will assume the maintenance of on-structure accommodations.
2. Reconstructed or Rehabilitated Structures. The State will pay 100% of all costs for the structure and approach construction itself. The Local Agency will pay 100% of right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are required solely for the accommodations. The Local Agency will pay 100% of the cost of a separate bicycle and pedestrian structure if bicyclists and pedestrians could have been safely accommodated on the roadway structure, or request grade separation when at-grade crossings are considered safe.

**5-5.05(q) Other Work**